



MEMO ENDORSED

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August 7, 2023

(via ECF only)

Hon. Jessica G. L. Clarke
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

This letter-motion to seal Ex. E to the Motion to Dismiss is granted temporarily. The Court will assess whether to keep the materials at issue sealed or redacted when deciding the underlying motion. The Clerk of Court is directed to terminate ECF No. 20 and seal ECF 21-7. Access is restricted to attorneys appearing for the parties and court personnel.

Dated: August 17, 2023

New York, New York

SO ORDERED.

Re: Rosas v. Shorehaven Homeowners Association, Inc., et al.
Case No. 23-cv-4052

JESSICA G. L. CLARKE
United States District Judge

Dear Judge Clarke:

We are attorneys for the defendants, Shorehaven Homeowners Association, Inc. and Haydee Rosario (the “Defendants”), in the above-referenced matter. We write to request the Court’s permission to file Exhibit E to the attached Motion to Dismiss under seal, as well as the annexed unredacted Memorandum of Law in Support because of its several references to the contents of Exhibit E, a confidential settlement agreement previously filed under seal in a different (but related) matter.

Specifically, in support of the Defendants’ proposed motion, the Defendants intend to submit a Confidential Negotiated Settlement Agreement and General Release which was filed under seal in a related matter, Rosas v. Trion Real Estate Management LLC, et al (Case No. 22-05881). Said related matter was brought by the Plaintiff against the Defendants’ property management company and turned on the exact same claims as alleged herein. The agreement was filed under seal in the above referenced matter (Doc. No. 35), and should remain confidential. However, said document is integral to the instant matter and Defendants’ motion, as its “entirety, would undermine the legitimacy of the plaintiff’s claim.” Goel v Bunge, Ltd., 820 F3d 554, 559 (2d Cir 2016).

For those reasons, the Defendants respectfully request that the Court seal the Defendants’ unredacted Memorandum of Law In Support, as well as Exhibit E to the motion, to ensure the continued negotiated confidentiality.

We thank Your Honor for considering this request.

Respectfully submitted,

Jacqueline L. Aiello, Esq.

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